HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.25028 of 1998

Dated:04.04.2007

Between:

Basipangu Bakka Peeraiah and others.

…Petitioners.

and

The District Collector and others.

…Respondents.

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.25028 of 1998

ORDER:

The petitioners are the legal heirs of the assignee of one acre of land in Sy.No.462 of Maripeda Village. They were also issued pattadar passbooks. The 5th respondent claimed that the land was alienated in his favour. On that basis, he filed O.S.No.31 of 1991 in the Court of District Munsif at Mahabubabad, for the relief of perpetual injunction. He also filed I.A.No.52 of 1991, for temporary injunction. The I.A. was dismissed and the order of dismissal was confirmed by the Court of Additional District Judge, Warangal, in C.M.A.No.2 of 1992 and by this Court in C.R.P.No.2592 of 1992.

The petitioners allege that notwithstanding the developments, the

2nd respondent had made entries in favour of the 5th respondent *vide* his proceedings, dated 04.02.1993. Initially, they approached this Court by filing W.P.No.19694 of 1996, assailing the said proceedings. The writ petition was disposed of, on 19.09.1996 leaving it open to the petitioners to avail the remedy of appeal before the District Collector. The petitioners state that an appeal was preferred accordingly, which

was numbered as R.C.No.B6/6994/96. Their grievance is that the appeal has not been disposed of, as yet. Therefore, they have filed this Writ Petition assailing the order, dated 04.02.1993, passed by the 2nd respondent and in action on the part of the 1st respondent in disposal of the appeal.

Heard learned counsel for the petitioners, learned Government Pleader for Revenue and learned counsel for the 5th respondent.

Nearly, 9 years have elapsed, ever since the Writ Petition was filed. It is not known as to whether the appeal is still pending. While admitting the Writ Petition, this Court directed the parties to maintain *status quo*. Therefore, the Writ Petition is disposed of, directing that:

a) in case, the appeal preferred by the petitioners has already been disposed of, the parties shall have to work out their remedies, and

b) if the appeal has not been disposed of, as yet, the 2nd respondent shall take up the same and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after giving notice to the concerned parties.

There shall be no order as to costs.

Dt.04.04.2007 **L.NARASIMHA REDDY, J**

GJ